

### **REMARKS**

This Amendment is fully responsive to the non-final Office Action dated October 3, 2008, issued in connection with the above-identified application. Claims 1-6, 8-21 and 23-27 were previously pending in the present application. With this Amendment, claims 1, 6, 9, 19, 20, 26 and 27 have been amended; claims 8, 14-17 and 23-25 have been canceled without prejudice or disclaimer to the subject matter therein; and claims 28-33 have been added. Accordingly, claims 1-6, 9-13, 18-21 and 26-33 are now pending in the present application. No new matter has been introduced by the amendments made to the claims or by the new claims added. Favorable reconsideration of the present application is respectfully requested.

In the Office Action, claims 1-3, 18-21, 26 and 27 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari et al. (U.S. Publication No. 2004/0043758, hereafter "Sorvari") in view of the Applicants' Admitted Prior Art ("the AAPA") and Rankin et al. (U.S. Patent No. 6,879,838, hereafter "Rankin"). The Applicants have amended independent claims 1, 19 and 27 to help further distinguish the present invention from the cited prior art. Claim 1 (as amended) recites the following features:

"[a]n application program prediction method by which a mobile terminal, having installed therein a plurality of application programs, predicts at least one application program that a user is likely to use, the application program prediction method comprising:

an application executing step of selecting and executing an application program installed in the mobile terminal;

a location detecting step of detecting a location where the mobile terminal exists when the application program is executed in the application executing step;

a usage history creating step of creating a usage history of the application program by storing the application program in association with the location of the mobile terminal when the application program is executed, the application program being executed in the application executing step, and the location of the mobile terminal being detected in the location detecting step; and

a predicting step of determining a predetermined location, searching for the location in the usage history, and presenting, as a prediction result, the application program associated with

the location searched for in the usage history and the predetermined location,

wherein the predicting step includes:

a future location predicting step of predicting a future location of the mobile terminal;

a current application specifying step of specifying, based on the usage history, an application program corresponding to the future location predicted in the future location predicting step; and

a current application presenting step of presenting the application program specified in the specifying step, as a prediction result of an application program that the user is likely to use in the future, and

the future location predicting step includes:

a station specifying step of specifying a station where the mobile terminal currently exists, through communication carried out between the mobile terminal and a device placed in the station; and

a retrieving step of retrieving, from a past route search result, an arrival station corresponding to a departure station that is the station specified in the station specifying step, and  
the arrival station retrieved in the retrieving step is regarded as the future location of the mobile terminal. (Emphasis added).

The features emphasized above in independent claim 1 are similarly recited in independent claims 19 and 27. Additionally, the features emphasized above are similar to the features previously recited in dependent claim 16 (now canceled). Accordingly, the features emphasized above are also fully supported by the Applicants' disclosure (see also pg. 37, line 9-pg. 38, line 23).

The present invention, as recited independent claims 1, 19 and 27, assumes the railroad is being used as a useful mode of public transportation, and includes a step for specifying an arrival station using a result of route history retrieval. In particular, the present invention solves the problem related to the difficulty of predicting a future location where a user is likely to go by relying simply on route maps of the railroad. The present invention makes it possible to accurately predict such a future location by using the result of the route history retrieval by the

user. No such features are believed to be disclosed or suggested by the cited prior art.

In the Office Action, the Examiner relies on the combination of Sorvari, the AAPA, Rankin and Pearce for disclosing or suggesting all the features recited in independent claims 1, 19 and 27 and dependent claim 16 (now incorporated respectively in claims 1, 19 and 27, as amended).

In particular, the Examiner relies on Sorvari, the AAPA and Rankin for disclosing or suggesting all the features recited independent claims 1, 19 and 27, and relies specifically on Pearce (U.S. Patent No. 5,754,125, hereafter "Pearce") for disclosing or suggesting the features recited in claim 16.

The Examiner alleges that Pearce, in particular, discloses identifying an arrival area by determining a reference position (see e.g., pg. 3, lines 1-30). However, the Applicants assert that Pearce actually discloses that a predicted position signal provided from a mobile unit is based on the elapsed time from a previous determined position and a velocity signal. As described in Pearce, the mobile unit continuously monitors the predicted position signal with a current position. However, nothing in Pearce discloses or suggest that the mobile unit retrieves, from a past route search result, an arrival station corresponding to a departure station that is the station specified, wherein the arrival station retrieved is regarded as the future location of the mobile terminal. Moreover, Sorvari, the AAPA and Rankin fail to overcome the deficiencies noted above in Pearce.

Accordingly, no combination of Sorvari, the AAPA, Rankin and Pearce would result in, or otherwise render obvious, independent claims 1, 19 and 27 (as amended). Likewise, no combination of Sorvari, the AAPA, Rankin and Pearce would result in, or otherwise render obvious, claims 2, 3, 18, 20, 21 and 26 at least by virtue of their respective dependencies from independent claims 1 and 19.

In the Office Action, claims 4-6 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari in view of the AAPA and Rankin, and further in view of Gong (U.S. Publication No. 2003/0163311, hereafter "Gong"); claims 16 and 24 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari in view of the AAPA and Rankin, and further in view of Pearce; and claims 8, 9, 14, 15 and 23 have been rejected under 35 U.S.C. 103(a) as

being unpatentable over Sorvari, the AAPA, Rankin and Pearce, and further in view of Horvitz (U.S. Publication No. 2003/0014491, hereafter “Horvitz”).

Additionally, claim 10 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari, the AAPA, Rankin, Pearce and Horvitz, and further in view of Duley (U.S. Patent No. 5,459,671, hereafter “Duley”); claim 11 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari, the AAPA, Rankin, Pearce, Horvitz and Duley, and further in view of Salmimaa et al. (U.S. Publication No. 2002/0160817, hereafter “Salmimaa”); claim 12 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari, the AAPA, Rankin, Pearce and Horvitz, and further in view of Cantos (U.S. Patent No. 6,529,784, hereafter “Cantos”); claim 13 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari, the AAPA, Rankin, Pearce, Horvitz and Cantos, and further in view of Salmimaa; and claims 17 and 25 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Sorvari, the AAPA, Rankin and Pearce, and further in view of Gong.

As noted above, claims 8, 14-17 and 23-25 have been canceled thereby rendering the above rejections to those claims moot.

Additionally, claim 4-6 and 9-13 depend from independent claim 1. As noted above, Sorvari, the AAPA, Rankin and Pearce fail to disclose or suggest all the features recited in independent claim 1 (as amended). Additionally, Gong, Horvitz, Duley, Salmimaa and Cantos fail to overcome the deficiencies noted above in independent claim 1. Thus, no combination of Sorvari, the AAPA, Rankin, Pearce, Gong, Horvitz, Duley, Salmimaa and Cantos would result in, or otherwise render obvious, claims 4-6 and 9-13 at least by virtue of their dependencies from independent claim 1.

With regard to new claims 28-32, the Applicants maintain that the cited prior art fails to disclose or suggest all the features recited in at least independent claims 28, 32 and 33. Claim 28 recites the following features:

“[a]n application program prediction method by which a mobile terminal, having installed therein a plurality of application programs, predicts at least one application program that a user is likely to use, the application program prediction method comprising:

an application executing step of selecting an application program from the plurality of

application programs installed in the mobile terminal, and executing the selected program;

a location detecting step of detecting a location where the mobile terminal exists when the application program is executed in the application executing step;

a usage history creating step of creating a usage history of the application program by storing the application program in association with the location of the mobile terminal when the application program is executed, the application program being executed in the application executing step, and the location of the mobile terminal being detected in the location detecting step; and

a predicting step of determining a predetermined location, searching the usage history for the location, and presenting, as a prediction result, the application program associated with the searched location in the usage history and the predetermined location,

wherein the predicting step includes;

a future location predicting step of predicting a future location of the mobile terminal;

a current application specifying step of specifying, based on the usage history, an application program corresponding to the future location predicted in the future location predicting step; and

a current application presenting step of presenting the application program specified in the specifying step, as a prediction result of an application program that the user is likely to use in the future,

the future location predicting step includes:

a route specifying step of specifying a route on which the station where the mobile terminal currently exists is located, through communication carried out between the mobile terminal and a device placed in the station; and

a retrieving step of retrieving, from a past e-mail history, a station which is located on the route specified in the station specifying step, and

the station retrieved in the retrieving step is regarded as the future location of the mobile terminal.” (Emphasis added).

The features emphasized above in independent claim 28 are similarly recited in independent claims 32 and 33. Additionally, the features emphasized above are similar to the

features previously recited in dependent claim 17 (now canceled). Accordingly, the features emphasized above are fully supported by the Applicants' disclosure (see also, pg. 39, line 20-pg.43, line 26).

In the Office Action, the Examiner rejected claim 17 (now incorporated in independent claims 28, 32 and 33) in view of Sorvari, the AAPA, Rankin, Pearce, and Gong. The Examiner alleged that Gong, in particular, discloses that "an intelligent social agent extracts information about the user from context, which includes e-mail to determine possible location" (see e.g., pg. 2, ¶ [0026], and pg. 3, ¶ [0029]).

However, the present invention (as recited in independent claims 28, 32 and 33) describes a mobile terminal that communicates with a device placed in a station, and specifies a route on which the station is located. The mobile terminal accurately predicts a future location where the user is likely to go by specifying a station on the route from a past e-mail history. Nothing in Gong discloses or suggests the idea of specifying a station using an e-mail history. Moreover, Sorvair, the AAPA, Rankin and Pearce fail to overcome the deficiencies noted above in Gong.

Accordingly, no combination of Sorvari, the AAPA, Rankin, Pearce, and Gong would result in, or otherwise render obvious, independent claims 28, 32 and 33. Likewise, no combination of Sorvari, the AAPA, Rankin, Pearce, and Gong would result in, or otherwise render obvious, claims 29-31 at least by virtue of their dependencies from independent claim 28.

In light of the above discussion, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record, and in condition for allowance. The Applicants respectfully request that the Examiner withdraw the previous rejections to the claims and pass the application to issue.

The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

Satoshi MATSUURA et al.

/Mark D. Pratt/

By: 2008.12.23 14:48:38 -05'00'

Mark D. Pratt  
Registration No. 45,794  
Attorney for Applicants

MDP/ats  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
December 23, 2008